

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Lana Sue Dyal,

Plaintiff,

v.

GE Gas Turbines,

Defendant.

C/A No. 6:11-3238-JMC-KFM

**REPORT AND RECOMMENDATION**

On November 29, 2011, Plaintiff filed this civil action, proceeding *pro se* and *in forma pauperis*. Plaintiff alleges that her former employer violated Title VII, 42 U.S.C. §§ 2000e-2000e-16, by discriminating against her based on race. Pursuant to *In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, No. 3:07-mc-5015-JFA (D.S.C. Sept. 18, 2007), this Court entered an Order dated December 6, 2011, to give Plaintiff an opportunity to provide the necessary information and paperwork to bring the case into proper form for evaluation and possible service of process. See ECF No. 11. Specifically, the Court directed Plaintiff to complete, sign, and return a Form USM-285 for the defendant and complete, sign, and submit Plaintiff's Answers to the Court's Special Interrogatories, which were attached to the Order. Plaintiff was warned that failure to provide the necessary information within the timetable set forth in the Order would subject the case to dismissal. Plaintiff did not respond to the Order, and the time for response has lapsed. Plaintiff has failed to prosecute this case and has failed to comply with an order of this Court. Thus, the undersigned recommends that this case should be dismissed *without prejudice* pursuant to Rule 41 of the Federal Rules of Civil Procedure. See *Link v. Wabash R.R. Co.*, 370 U.S. 626 (1962).

**Recommendation**

It is recommended that the District Court dismiss this action *without prejudice*.

Plaintiff's attention is directed to the important notice on the next page.

s/ Kevin F. McDonald  
United States Magistrate Judge

January 18, 2012  
Greenville, South Carolina

### **Notice of Right to File Objections to Report and Recommendation**

The parties are advised that they may file specific written objections to this Report and Recommendation with the District Judge. Objections must specifically identify the portions of the Report and Recommendation to which objections are made and the basis for such objections. “[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310 (4<sup>th</sup> Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Specific written objections must be filed within fourteen (14) days of the date of service of this Report and Recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); see Fed. R. Civ. P. 6(a), (d). Filing by mail pursuant to Federal Rule of Civil Procedure 5 may be accomplished by mailing objections to:

Larry W. Propes, Clerk  
United States District Court  
300 East Washington Street, Room 239  
Greenville, South Carolina 29601

**Failure to timely file specific written objections to this Report and Recommendation will result in waiver of the right to appeal from a judgment of the District Court based upon such Recommendation.** 28 U.S.C. § 636(b)(1); *Thomas v. Arn*, 474 U.S. 140 (1985); *Wright v. Collins*, 766 F.2d 841 (4th Cir. 1985); *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984).